

CLERK U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FILED

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

2016 JUL 20 PM 2:29

UNITED STATES OF AMERICA

DEPUTY CLERK

v.

No.

MITCHELL WESTON MILLER

8-16CR0332-N

INDICTMENT

The Grand Jury Charges:

Count One

Transporting and Shipping Child Pornography
(Violation of 18 U.S.C. § 2252A(a)(1))

On or about November 23, 2015, in the Dallas Division of the Northern District of Texas, the defendant, **Mitchell Weston Miller**, knowingly transported and shipped child pornography using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer. Specifically, he used his electronic mail account and the Internet to send and transmit files of minors engaged in sexually explicit conduct and the lewd and lascivious exhibition of the genitals of minors, as defined in 18 U.S.C. § 2256, including the following described image files:

File Name:	Description:
45406138OWw.jpg	Image file depicting a nude prepubescent female who is lying on a bed. The legs of the prepubescent female are spread exposing her genitals in a lewd and lascivious manner. A male child is also on the bed.
43761444Wvl.jpg	Image file depicting a prepubescent female who is lying on a bed. The legs of the prepubescent female are spread exposing her genitals in a lewd and lascivious manner. The child is wearing glasses and a pink shirt.
45519974hSY.jpg	Image file depicting a nude prepubescent female who is lying on a bed. The legs of the prepubescent female are spread exposing her genitals in a lewd and lascivious manner. The child is lying on a brown blanket.

In violation of 18 U.S.C. § 2252A(a)(1).

Count Two
Receipt of Child Pornography
(Violation of 18 U.S.C. § 2252A(a)(2)(A))

On or about January 13, 2015, in the Dallas Division of the Northern District of Texas, the defendant, **Mitchell Weston Miller**, did knowingly receive any child pornography, as defined in 18 U.S.C. § 2256(8), shipped and transported in and affecting interstate or foreign commerce by any means, including by computer. Specifically, the defendant, **Mitchell Weston Miller**, using his ZTE N9520 cellular telephone, received the following visual depictions of a minor engaged in sexually explicit conduct and the lewd and lascivious exhibition of the genitals of a minor:

FILE NAME	DESCRIPTION
Stop.wmv	Video file depicting a prepubescent female child in a pink shirt. A purple device is placed on the child's exposed genitals. The child is heard saying "stop" multiple times while a male replies "no."
2 – 8 Year Old duct taped and raped.wmv	Video file depicting a prepubescent female child lying on a pink sheet. The child's hands are duct taped to her legs. During the video, an adult male's penis penetrates the child's vagina.

In violation of 18 U.S.C. § 2252A(a)(2)(A).

Count Three
 Possession of Prepubescent Child Pornography
 (Violation of 18 U.S.C. § 2252A(a)(5)(B))

On or about February 26, 2016, in the Dallas Division of the Northern District of Texas, the defendant, **Mitchell Weston Miller**, knowingly possessed material which contains videos of child pornography, as defined in 18 U.S.C. § 2256(8), that involved prepubescent minors or minors who had not attained 12 years of age, and which had been shipped and transported using any means and facility of interstate and foreign commerce, including by computer or was produced using materials that had been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer. Included on a 4GB micro memory card that was located in his ZTE N910 cellular telephone, which contained the label "Made in China," are the following videos:

File Name:	Description:
tmp_tmp_Baby_tub_sex_part_1-524414216134367295.avi	A video file depicting a nude prepubescent female child lying in a yellow bathtub. During the video, an adult male is seen with his hand on the child's head and his penis in her mouth. A dinosaur toy is visible in the background.
dvoinoe_proniknovenie.mp4	A video file depicting a nude prepubescent female child with her legs bound by white cloth. During the video, an adult male's penis penetrates the child's anus.
bb11-1.avi	A video file depicting a nude prepubescent female child lying on her back exposing her genitals. The video shows the child's mouth on the adult male's penis and later the adult male's penis penetrates the child's vagina.

In violation of 18 U.S.C. § 2252A(a)(5)(B).

Notice of Forfeiture
(18 U.S.C. § 2253(a)(1) and (3))

Upon conviction of any of the offenses alleged in Count One, Count Two, and Count Three, and pursuant to 18 U.S.C. § 2253(a), the defendant, **Mitchell Weston Miller**, shall forfeit any visual depiction described in 18 U.S.C. § 2252 and § 2252A and (a) any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in the respective offense; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the respective offense; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of the respective offense and any property traceable to such property.


The above-referenced property subject to forfeiture from the defendant includes, but is not limited to the following items seized in Kaufman County, Texas: ZTE N910 cellular telephone with a 4GB micro memory card and a ZTE N9520 cellular telephone with a Toshiba 4GB micro SD card.

A TRUE BILL



FOREPERSON

JOHN R. PARKER
UNITED STATES ATTORNEY



MARYA WILKERSON
Special Assistant United States Attorney
Tennessee State Bar No. 23091
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214.659.8631
Facsimile: 214.659.8809
Marya.Wilkerson@usdoj.gov

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THE UNITED STATES OF AMERICA

v.

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INDICTMENT

18 U.S.C. § 2252A(a)(1)
Transporting and Shipping Child Pornography

18 U.S.C. § 2252A(a)(2)(A)
Receipt of Child Pornography

18 U.S.C. § 2252A(a)(5)(B)
Possession of Prepubescent Child Pornography

18 U.S.C. § 2253(a)(1) and (3)
Forfeiture Notice

3 Counts

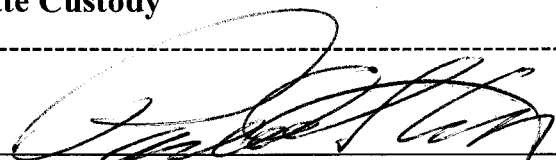
A true bill rendered

DALLAS


FOREPERSON

Filed in open court this 20th day of July, 2016.

Warrant to be Issued - In State Custody


UNITED STATES MAGISTRATE JUDGE
No Criminal Matter Pending